

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY *SP* D.C.
05 JUN -7 PM 2:44

ROBERT R. DI TROIO
CLERK, U.S. DIST CT.
W. D. OF TN JACKSON

IN THE MATTER OF THE COMPLAINT)
OF MAGNOLIA MARINE TRANSPORT)
COMPANY, AS OWNER AND)
OPERATOR OF THE M/V DENNIS)
ROSS, HER ENGINES, TACKLE, ETC.)
FOR EXONERATION FROM OR)
LIMITATION OF LIABILITY.)

No. 1-04-1206-T-An

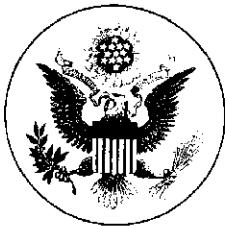
ORDER

On May, 9, 2005, Claimants filed a renewed motion to lift the stay order imposed by this court pursuant to the Limitation of Shipowner's Liability Act, 46 U.S.C. § 181 *et seq.* The court denied Claimants' motion under Complaint of Midland Enterprises, Inc., 886 F.2d 812, 817-18 (6th Cir. 1989), and ordered Claimants to either contest the value of the ship pursuant to the Federal Rules of Civil Procedure Supplemental Rule F(7) or concede its value. On May 25, 2005, Claimants sent the court a letter stating that they conceded that the value of the ship was \$1,764,942.30. However, it is not the court's usual practice to consider a letter as an official document in a case. If Claimants wish to concede the value of the ship they must do so in an official document. Defendant will then have ten (10) days to respond to any filing by Claimants. Therefore, the stay order remains in effect

pending resolution of this issue.

IT IS SO ORDERED.

James D. Todd
JAMES D. TODD
UNITED STATES DISTRICT JUDGE
7 June 2005
DATE



Notice of Distribution

This notice confirms a copy of the document docketed as number 30 in case 1:04-CV-01206 was distributed by fax, mail, or direct printing on June 8, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT